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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

SHEET METAL WORKERS' NATIONAL
PENSION FUND and INTERNATIONAL
BROTHERHOOD OF TEAMSTERS
LOCAL NO. 710 PENSION FUND,
individually and as Lead Plaintiffs on behalf
of all others similarly situated, and

INTERNATIONAL UNION OF
OPERATING ENGINEERS PENSION
FUND OF EASTERN PENNSYLVANIA
AND DELAWARE, individually and as
Named Plaintiff, on behalf of all others
similarly situated,

Plaintiffs,

vs.

BAYER AKTIENGESELLSCHAFT, WERNER
BAUMANN, WERNER WENNING, LIAM
CONDON, JOHANNES DIETSCH, and WOLFGANG
NICKL,

Defendants.

Case No: 3:20-cv-04737-RS

CLASS ACTION

**STIPULATION AND
ORDER REGARDING PAGE LIMITS
FOR BRIEFING ON MOTION TO
DISMISS**

Ctrm: 3 – 17th Floor
Judge: Richard Seeborg

1 Pursuant to Civil Local Rule 7-12, Lead Plaintiffs Sheet Metal Workers National Pension Fund
2 and International Brotherhood of Teamsters Local No. 710 Pension Fund (“Lead Plaintiffs”) and
3 Defendants Bayer Aktiengesellschaft, Werner Baumann, Werner Wenning, Liam Condon, Johannes
4 Dietsch, and Wolfgang Nickl (“Defendants,” and together with Lead Plaintiffs, the “Parties”), by and
5 through their undersigned counsel, submit the following stipulation and proposed order.

6 WHEREAS, on November 30, 2020, the Court entered the stipulated briefing schedule on
7 Defendants’ Motion to Dismiss (ECF No. 45);

8 WHEREAS, on January 19, 2021, Lead Plaintiffs filed the Amended Class Action Complaint
9 (the “Amended Complaint”) (ECF No. 47);

10 WHEREAS, on March 22, 2021, Defendants filed their Motion to Dismiss the Amended
11 Complaint (ECF No. 61);

12 WHEREAS, Lead Plaintiffs have requested an additional five (5) pages for their memorandum
13 in opposition to Defendants’ Motion to Dismiss for a total of thirty (30) pages in length;

14 WHEREAS, Defendants do not oppose this request provided they receive the same five (5)
15 additional pages for their reply memorandum for a total of twenty (20) pages in length;

16 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, SUBJECT TO
17 COURT APPROVAL, THAT:

- 18 1. Lead Plaintiffs’ opposition brief shall not exceed a combined thirty (30) pages in
19 length; and
- 20 2. Defendants’ reply brief shall not exceed a combined twenty (20) pages in length.

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1 Dated: May 14, 2021

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By: /s/ Nicole Lavallee
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Dated: May 14, 2021


HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE